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AMENDMENTS TO THE DRAWINGS:

Please replace the drawings currently on file with the attached formal drawings (attached at the end of this amendment).

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REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicant basically:

1. Editorially amends the specification.

2. Amend claim 3.

3. Respectfully traverse all prior art rejections.

4. Attaches a new set of drawings in view of the requirement of enumerated paragraph 1 of the Office Action.

B. PATENTABILITY OF THE CLAIMS

Claims 1-5, 8-12, 14, 17-20, 29-33, 36-40, 42, 45-48, 60 and 61 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,628,013 to Anderson et al in view of U.S. Patent 5,655,120 to Witte et al. Claims 6, 7, 15, 16, 34, 35, 43, 44 and 57-59 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,628,013 to Anderson et al in view of U.S. Patent 5,655,120 to Witte et al as applied to claims 1 and 5; 12 and 14; and 29 and 33 above and further in view of the Admitted Prior Art Fig. 1. Claims 21, 22, 25-28, 49, 50 and 53-56 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,628,013 to Anderson et al in view of U.S. Patent 5,655,120 to Witte et al as applied to claims 1 and 12 above and further in view of U.S. Patent 5,121,391 to Paneth et al. Claims 23, 24, 51 and 52 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 5,628,013 to Anderson et al in view of U.S. Patent 5,655,120 to Witte et al in view of U.S. Patent 5,121,391 to Paneth et al as applied to claims 21 and 22 above and further in view of the Admitted Prior Art Fig. 1.

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All prior art rejections are again respectfully traversed for reasons including those previously provided and the following.

As previously explained, Applicant's independent claims essentially relate to curtailing, in a processor system, performance of processes of differing priority and differing subfunctionality, so that only a subset of plural subfunctions of differing subfunctionality are performed. For example, independent claim 1 refers to subfunctions which _differently_ influence quality of transmitted information and (in the last clause) requires performance of a subset of the subfunctions. Independent claims 12 and 40 require performance of more subfunctions (the subfunctions having different subfunctionality) for channels of differing priority levels. Independent claims 21 and 49 involve a round-rob scheme of performance of subfunctions (the subfunctions again having different subfunctionality). Various claims specify that the subfunctions relate to an echo cancellation algorithm.

The office action correctly admits that U.S. Patent 5,628,013 to Anderson et al does not disclose, when the total processing required exceeds the total processing capability, performing a subset of plural subfunctions on priority. As confirmation, see, e.g., Anderson col. 3, lines 45 – 49 which state

> The additional task is installed in the task list if the frame's available processing time is sufficient to handle the additional task's processing requirement. *Otherwise, a signal is generated to indicate that the task cannot be installed.* (emphasis added).

The final rejection attempts to combine Anderson with U.S. Patent 5,655,120 to Witte et al.. In so doing, the office action argues that Witte does explicitly disclose, when the processing required exceeds the total processing capability, performing a subset of the plural subfunctions on priority basis. The office action particularly cites col. 3, line 63 – col. 4, line 37 of Witte.

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Neither the cited portion or any other portion of Witte appear to support the proposition postulated in the office action. Rather than performing a subset of subfunctions, upon overload Witte's processor transfers jobs to other processors:

> The group processor is overloaded. Jobs that could be handled by the group processor are thus temporarily *transferred* – insofar as possible – to group processors GPn that are not overloaded. (col. 3, lines 63 – 66, emphasis added).

Col. 4 of Witte does refer to switching-oriented overload priority levels and an load state "overload" in which "a portion of the newly arriving calls that are to be forwarded for further processing to free group processor CPx is defined ... (col. 4, lines 23+). However, whatever transferring is performed by Witte, it is important to note that the entire call is transferred, and thus *all functions associated with such transferred call*. As such, *Witte is not relevant to claims which involve performing a subset of subfunctions regarding pieces of speech information*. Nowhere does Anderson or Witte, alone or in postulated combination, teach selectively performing a subset of subfunctions with respect to a same speech stream.

Moreover, despite oblique reference by Anderson to "echo processors", neither applied reference teaches or suggests performing a subset of plural subfunctions of an echo cancellation algorithm on a priority basis, as required, for example, in Applicants' claims 5 – 6, 14 – 15, 22 – 23, 33 – 34, 42 – 43, 50 – 51, 57 – 59, and 61.

Anderson incidentally lists echo cancellation (col. 9, lines 8 – 25) in context of a smooth algorithm for the purpose of discussing how to determine the processing time (GPB) for tasks *already installed* (see, e.g., col. 10, lines 2 – 14). Echo cancellation is *not* cited as an example of a task for which Anderson makes a determination whether to include or not. Anderson's smooth tasks such as echo cancellation are *already included*, and hence the task inclusion logic of Anderson does not touch inclusion or not of echo

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cancellation subfunctions. Moreover, as previously stated, Anderson merely discards a task upon overload.

Therefore, the concocted combination is not only fundamentally flawed regarding the independent claims, but also claims which specifically deal with cancellation. That is, the applied references do not teach or suggest performing a subset of plural subfunctions on a priority basis for echo cancellation.

With no basis in the record for making echo cancellation subfunctions subject to selective performance as a subset, there is valid reason for concluding that the allegedly admitted prior art of Applicants' Fig. 1 can be legitimately combined with any reference in the manner supposed in the first full paragraph of page 10 of the office action, for example.

The remaining applied reference(s) are not even alleged to rectify the deficiencies of the prior art combination noted above, and thus do not rehabilitate the defective final rejection.

Thus, on the basis of the foregoing, the Examiner has ample rationale for withdrawing all prior art rejections and allowing the instant claims.

C. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

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Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

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